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11 || Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

15 ANIMAL WELLNESS ACTION, a non-
16 profit corporation, CANA FOUNDATION, a
17 non-profit corporation, LAURA LEIGH,
individually, and WILD HORSE
EDUCATION, a non-profit corporation,

18 | Plaintiffs.

V

20 UNITED STATES DEPARTMENT OF
21 INTERIOR, BUREAU OF LAND
22 MANAGEMENT, and JON RABY, Nevada
State Director of the Bureau of Land
Management,

Defendants.

CASE NO. 3:22-cv-00034

**DECLARATION OF SCOTT EDWARDS
ON BEHALF OF ANIMAL WELLNESS
ACTION**

1 I, Scott Edwards, declare as follows:

2 1. The facts contained in this declaration are known personally to me and, if called
3 as a witness, I could and would testify competently thereto under oath.

4 2. I am a resident of the state of New York.

5 3. I am the General Counsel of the non-profit 501(c)(4) organization Animal
6 Wellness Action (AWA), which has its principal place of business at 611 Pennsylvania Ave.,
7 S.E. #136, Washington, D.C. 20003. AWA is a 501(c)(4) national nonprofit organization with
8 the mission of promoting animal welfare by advocating for the passage and enforcement of laws,
9 regulations, and policies that protect animals. AWA maintains 135,000 supporters across
10 America, with several thousand in Nevada. I and many of our members are American people
11 whose lives are enriched by having wild free-roaming horses treated as an integral part of the
12 natural system of the public lands. This treatment is predicated upon all management activities
13 being conducted at the minimal feasible level.

14 4. AWA is actively engaged on multiple issues involving wild horses. These include
15 ending horse slaughter (in which both tame and wild horses are shipped across international
16 borders killed for human consumption), keeping wild horses and burros in their natural habitats,
17 and creating a program by which retired American veterans are deployed to apply humane
18 fertility control strategies to limit reproduction of wild horses.

19 5. AWA has been directly injured by the actions of the defendants because it has
20 diverted significant organizational resources to identify, remedy and counteract unlawful and
21 improper actions related to wild horse roundups, including the types of activities that are alleged
22 in the current litigation.

23 6. To those ends, AWA has been instrumental in the introduction of the following
24 pieces of legislation in Congress:

25 a. The Save America's Forgotten Equines (SAFE) Act, to prevent the transport of
26 horses across American borders for slaughter for human consumption;
27 b. The Veterans for Mustangs Act (VMA), which would help better protect
28 American wild horses and burros on federal lands by implementing appropriate

1 and safe fertility control methods while providing avenues for healing American
2 veterans with post-traumatic stress and other disorders resulting from combat.

3 7. AWA also conceived of the 2021 Investing in a New Vision for the Environment
4 and Surface Transportation in America (INVEST) Act, to ban the transport of equines across
5 state lines or to Canada or Mexico for slaughter for human consumption.

6 8. AWA has also lobbied extensively for the passage of the above-mentioned federal
7 bills, as well as the Wild Horse and Burro Protection Act of 2023 (H.R. 3656; to end the use of
8 helicopters in round-ups).

9 9. Members and staff of AWA have also submitted over 330 combined pages of
10 testimony to the United States Congress in support of the SAFE Act and an anti-horse soring bill.

11 10. In the past, AWA has also offered rewards for information leading to the
12 identification, arrest and conviction of the person or persons responsible for illegally shooting
13 and killing wild horses; for example, AWA offered a reward of up to \$5,000.00 for information
14 regarding the shooting of 15 wild horses and serious injuring at least four others in the Apache-
15 Sitgreaves National Forest near Alpine, Arizona, on or about Monday, October 3, 2022. In July
16 2023, AWA also offered a reward of up to \$38,500.00 for information regarding the shooting
17 deaths of two beloved Onaqui stallions in the west desert of Utah.

18 11. AWA has also submitted comments on various Herd Management Area Plans
19 (HMAPs) in the past and plans to continue to do so in the future.

20 12. Despite 43 C.F.R. § 4710.4 requiring that the BLM prepare HMAPs for HMAs,
21 the BLM failed to prepare an HMAP for the Pancake Complex.

22 13. If the BLM had prepared and published an HMAP for the Pancake Complex,
23 AWA would have submitted comments during the appropriate public commenting period.

24 14. Like previous AWA comments on HMAPs, our comments would have addressed
25 concerns about the cruelty and inhumane nature of BLM round-ups, the need to reduce excessive
26 livestock grazing rather than reducing the number of wild horses when land suffers degradation,
27 and argued for the use of safe, reversible PZP for fertility control if and when population
28 management becomes necessary.

15. AWA has also been directly injured because of its inability to submit comments on a Pancake Complex HMAP and otherwise take steps to force an end to the illegal round up activities alleged herein; thereby frustrating, impairing and thwarting our organizational mission to protect animals and ensure animals' welfare. AWA was unable to tell its many members and supporters, many of whom are American people invested in the fight to protect American wild horses, that AWA submitted a comment and engaged in the regulatory process with regards to the Pancake Complex HMAP.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED this 9th day of August, 2023.

Mrs A. E. Moore

Scott Edwards